

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

DEANDRE TAHANKA DAVID WILLIAMS,

*Plaintiff,*

**ORDER**

-against-

GLEN GOORD, Commissioner; R. K. WOODS, Superintendent; REVEREND hAWK; LUCIEN J. LECLAIR JR., Deputy Commissioner; ANTHONY ANNUCCI, Deputy Commissioner and Counsel; and ALEC FRIEDMANN, Jewish Chaplin.

05-CV-62  
(LEK/DRH)

*Defendants.*

Upon reading and filing the annexed affirmation of Gerald J. Rock, Assistant Attorney General, sworn to on May 22, 2005, and pursuant to Federal Rule of Civil Procedure 30(a), it is hereby:

**ORDERED** that defendants be permitted to take the deposition of plaintiff at a Correctional Facility within the Department of Correctional Services during regular business hours; and it is further

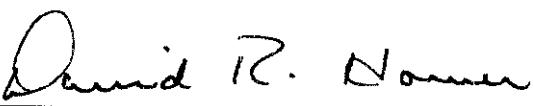
**ORDERED** that notice to the plaintiff be deemed due and adequate if notice of the deposition and a copy of this order are mailed to the plaintiff at least <sup>20</sup> ~~10~~ days prior to the scheduled day for his deposition; and it is further

*DRH 5/23/05*

**ORDERED** that plaintiff's disagreement with any directives of security staff at the correctional facility is not a ground on which the plaintiff may refuse to answer questions; and it is further

**ORDERED**, that the failure of plaintiff to attend, be sworn and answer appropriate questions may result in sanctions including dismissal of the action pursuant to Rule 37 of the Federal Rules of Civil Procedure. However, valid objections made in good faith to inappropriate questions are permissible.

Dated: Albany, New York  
May 23 2005

  
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HON. DAVID R. HOMER  
UNITED STATES MAGISTRATE JUDGE